

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

In re Terrorist Attacks on September 11, 2001	03-md-1570 (GBD)(SN) ECF Case
This document relates to: <i>Gaston, et al. v. The Islamic Republic of Iran</i>	1:18-cv-12337 (GBD)(SN) ECF Case

**ATTORNEY DECLARATION IN SUPPORT OF MOTION FOR
DEFAULT JUDGMENT**

I, David J. Dickens, Esq., hereby states under penalty of perjury that:

1. I am an attorney representing Plaintiffs Beatrice Gaston, individually and as Personal Representative of the Estate of Betsy Martinez, Francis Gaston, Maria Gaston, Georgina Gaston, and Ariel Martinez (collectively “Plaintiffs” or “*Gaston* Plaintiffs”) in the above-captioned litigation and I submit this Declaration in support of the motion for default judgment and for permission to allow any remaining plaintiffs named in the above-captioned matter to move for the same relief in separate stages.

2. The source of my information and the basis for my belief in my statements is my personal involvement in this matter; my firm’s involvement in other litigation involving 28 U.S.C. § 1605A for the past 15 years; my firm’s representation of the *Gaston* Plaintiffs in connection with the September 11th litigation; communications directly with Beatrice Gaston and other family members of Betsy Martinez; official records provided by claimants; and other court records relating to the multi-district litigation to which the *Gaston* Plaintiffs are a party. Any matters about which I lack personal knowledge are asserted herein upon information and belief.

3. The Miller Firm has been retained by Plaintiffs to pursue recovery for their damages arising out of the death of Betsy Martinez on September 11, 2001, including solatium damages

suffered by each immediate family member of Betsy Martinez. Our office has previously verified that the *Gaston* Plaintiffs have not recovered damages previously, nor do they have any other pending motion before this Court for compensation arising out of the September 11th attacks.

4. Betsy Martinez was an accounts manager at Cantor Fitzgerald who was working in One World Trade Center on September 11, 2001. Betsy Martinez was killed in the September 11th terrorist attacks. She was 33 years old at the time of her death.

5. Ms. Beatrice Gaston is a citizen of the United States and is the sibling of Betsy Martinez, an individual who died in the September 11th attacks. Ms. Beatrice Gaston's relationship to Betsy Martinez has been personally verified by attorneys and paralegals in my office and the office of our co-counsel the Miller DellaFerra that have obtained written documentation and/or conducted interviews confirming the nature of her relationship to Betsy Martinez.

6. As the sibling of Betsy Martinez, Ms. Beatrice Gaston satisfies the framework established by this Court and sufficiently shows that she is eligible for solatium damages.

7. Ms. Francis Gaston is a citizen of the United States and is the sibling of Betsy Martinez, an individual who died in the September 11th attacks. Ms. Francis Gaston's relationship to Betsy Martinez has been personally verified by attorneys and paralegals in my office and the office of our co-counsel the Miller DellaFerra that have obtained written documentation and/or conducted interviews confirming the nature of her relationship to Betsy Martinez.

8. As the sibling of Betsy Martinez, Ms. Francis Gaston satisfies the framework established by this Court and sufficiently shows that she is eligible for solatium damages.

9. Ms. Maria Gaston is a citizen of the United States and is the sibling of Betsy Martinez, an individual who died in the September 11th attacks. Ms. Maria Gaston's relationship to Betsy Martinez has been personally verified by attorneys and paralegals in my office and the

office of our co-counsel the Miller DellaFerra that have obtained written documentation and/or conducted interviews confirming the nature of her relationship to Betsy Martinez.

10. As the sibling of Betsy Martinez, Ms. Maria Gaston satisfies the framework established by this Court and sufficiently shows that she is eligible for solatium damages.

11. Georgina Gaston is a citizen of the United States and is the mother of Betsy Martinez, an individual who died in the September 11th attacks. Ms. Georgina Gaston's relationship to Betsy Martinez has been personally verified by attorneys and paralegals in my office and the office of our co-counsel the Miller DellaFerra that have obtained written documentation and/or conducted interviews confirming the nature of her relationship to Betsy Martinez.

12. As the mother of Betsy Martinez, Ms. Georgina Gaston satisfies the framework established by this Court and sufficiently shows that she is eligible for solatium damages.

13. Ariel Martinez is a citizen of the United States and is the child of Betsy Martinez, an individual who died in the September 11th attacks. Ms. Ariel Martinez's relationship to Betsy Martinez has been personally verified by attorneys and paralegals in my office and the office of our co-counsel the Miller DellaFerra that have obtained written documentation and/or conducted interviews confirming the nature of her relationship to Betsy Martinez.

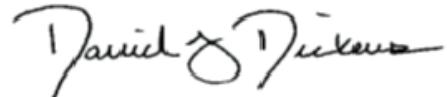
14. As the child of Betsy Martinez, Ms. Ariel Martinez satisfies the framework established by this Court and sufficiently shows that she is eligible for solatium damages.

15. To minimize the chance of any human error in submitting the instant motion, my firm has instituted a quality control process, during which an additional attorney and a paralegal review all case files and corroborate that the relationship as stated in this Declaration and that the claimants all survived the deaths of their loved ones on September 11, 2001.

16. Accordingly, I respectfully request that this Court grant the proposed default judgment.

Dated: July 10, 2023

Respectfully submitted,



David J. Dickens
The Miller Firm LLC
108 Railroad Ave
Orange, VA 22960
Tel: 540-672-4224
Fax: 540-672-3055
Email: ddickens@millerfirmllc.com